



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Arindam Datta, et al.

Serial No. : 10/602,338 Confirmation No. 8257

Filed : June 24, 2003 Examiner:

For : BIODEGRADABLE STENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231 on

April 12, 2005
(Date of Deposit)

William K. Wissing
(Name of applicant, assignee, or Registered Representative)

/William K. Wissing/
(Signature)

April 12, 2005
(Date of Signature)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONAL UNDER 37 CFR 1.137(a)**

1. Applicant petitions for the revival of the above-identified application.
2. Nature of abandonment: (check appropriate box and complete)
 - ☒ In an office communication from the PTO dated November 2, 2004, the undersigned has noted that the above-identified application is being forwarded to the Abandoned Files because applicant's response to the Official Action mailed on September 29 2003 has not been received within the statutory period or any extension requested therefore.
 - ☒ The undersigned has reviewed his records and noted that the response to the Official Action mailed on September 29, 2003, was not timely filed within the statutory period or any extension requested therefore.

3. Response filed:

The proposed response to the Official Action mailed September 23, 2003

☒ has been filed on November 25, 2003.

☐ is enclosed herewith.

4. The untimely response was unintentional. The entire delay from the due date of timely replying to the Notice to File Missing Parts (Notice) until the filing of this petition was unintentional. 37 C.F.R. 1.53(f)(g).

5. It will be seen from the attached showings that the processing procedures have been carefully reviewed and that steps have been taken to avoid repetition of the events which took place in this case so that a similar error will not be made in the future.

6. Terminal disclaimer:

☐ application filed before June 8, 1995

or ☐ design application)

Abandonment took place on the following date November 2, 2004 and:

☒ Since this petition is within six months of that date, no terminal disclaimer is required.

☐ A terminal disclaimer equivalent to the period of abandonment of the application until the date of this petition is attached.

7. Status of applicant:

This application is on behalf of

☐ small business entity--fee \$55.00

☐ verified statement already filed on
☐ verified statement attached.

☒ other than a small business entity--fee \$1,500.00

NOTE: The fee is set in 37 CFR 1.17(I).

8. Fee payment:

☒ Charge the petition fee of \$1,500.00 to Account 10-0750/ETH1685/WKW and for any additional fee required. A duplicate of this petition is attached.

☐ A check in the sum of \$ is attached.

☒ Charge Account 10-0750 for any additional fee required.

Respectfully submitted,

/William K. Wissing/

William K. Wissing
Reg. No. 34,757
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-6201



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**LETTER REGARDING PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONAL UNDER 37 CFR 1.137(a)**

Applicants wish to note on the record that the Notice to File Missing Parts mailed on September 23, 2003 indicated that neither an executed Declaration nor Figure 7 as described in the Specification were received upon filing of the Application. Applicants submit herewith a copy of the executed declaration that was mailed on November 25, 2003. Applicants note, however, that their records indicate that Figure 7 was included in the application at the time of filing. Notwithstanding, Applicants further note that formal drawings were submitted on May 7, 2004 and attach a copy of such hereto. Accordingly, Applicants respectfully submit that all items indicated in the Notice to File Missing Parts have been provided to the USPTO. With the Petition for Revival for unintentional abandonment, Applicants respectfully request that the application be examined on the merits at this time.

Respectfully submitted,

/William K. Wissing/

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Reg. No. 34,757
Attorney for Applicants

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